THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.19986 of 2005

12.9.2005

Between:

1. Vankadhari Naga Subbanna, S/o.Peda Venkata Subbaiah, Business,

R.R.Street, Nellore and others.

… Petitioners.

AND

1. The Government of A.P., rep., by its Secretary to revenue,

Secretariat, Hyderabad and others.

… Respondents.

ORDER:

The petitioners 1, 2 and 6 are residents of Nellore. The petitioners 3, 4 and 7 to 10 are residents of Kadapa. In the affidavit filed on behalf of the first petitioner, it is alleged that the petitioners jointly purchased an extent of Acs.1.79 of land in Survey No.75/1 of Mamillapalli village, Kadapa District under registered sale deed and that respondents 3 and 4, without following due process of law, are trying to allot land to third parties for housesite pattas. Therefore, the petitioners seek a writ of Mandamus declaring the action of the respondents in assigning the land of the petitioners without due process of law is illegal and arbitrary.

The learned Counsel for the petitioners made elaborate submissions. The learned Assistant Government Pleader opposed the writ petition contending that the writ petition is filed on mere apprehension and it lacks factual foundation. There is force in the submission made by the learned Assistant Government Pleader. Admittedly, the deponent of the petitioners is a resident of Nellore whereas petitioners 3, 4 and 7 to 10 are residents of Kadapa. The land is situated at Mamillapalli and no details are disclosed in the writ affidavit as to when the respondents proposed to assign the land in Survey No.75/1 for housesites. In view of this, this Court cannot entertain the writ petition.

The writ petition is, accordingly, dismissed. No costs.

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(**V.V.S.RAO,J**)

September 12, 2005.

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